

DOCKET NO.: 196838US01

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

Frank I. CARROLL et al.

SERIAL NO. 09/623,872

FILED: NOVEMBER 27, 2000

FOR: NOVEL OPIATE COMPOUNDS, METHODS
OF MAKING AND METHODS OF USE



GROUP ART UNIT: 1625

: EXAMINER: AULAKH, C.

TECH CENTER 1600/2900

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K. Brown
8/10/01

RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Responsive to the Restriction Requirement dated June 20, 2001, Applicants elect, with traverse, Group IV, Claims 17-22 and 26.

Since this is a National Stage application file under the PCT, restriction is only proper when the claims lack unity of invention. 37 C.F.R. §1.475. In the Official Action, the Examiner merely states "there is no common at page 3, lines 1-2, core ... shared by all of the alternatives." However, the Examiner has failed to provide any evidence or reasons to support this conclusion. Accordingly, the Office has failed to establish that unity of invention is lacking in this application. Withdrawal of the restriction requirement is requested.

Applicants respectfully request consideration of the Information Disclosure Statement submitted herewith.

Applicants submit that the present application is ready for examination on the merits.

Early notice to this effect is earnestly solicited.

Respectfully submitted,

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